

1 AN ACT relating to moral instruction.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 158.200 is amended to read as follows:

4 **(1)** The boards of education of independent and county school districts may provide **an**
5 **opportunity** for **pupils to attend** moral instruction ~~[of pupils]~~ in their jurisdiction, in
6 the manner provided in **this section**~~[KRS 158.210 to 158.260]~~.

7 **(2) (a) Boards of education shall allow pupils to be excused for no more than one**
8 **(1) hour on no more than one (1) day each week, which shall include time**
9 **attributed to travel to and from, to attend a district-approved request for a**
10 **moral instruction offering upon receiving the consent of the pupil's parent**
11 **or guardian.**

12 **(b) Moral instruction provided under this section shall not take place on school**
13 **property.**

14 **(c) Pupil participation in moral instruction shall be voluntary and free from**
15 **coercion by school personnel.**

16 **(d) Moral instruction shall be given without expense to any board of education**
17 **above de minimis administrative expenses incurred in carrying out this**
18 **section.**

19 **(3) An individual, organization, entity, or any combination thereof seeking to provide**
20 **a moral instruction offering for pupils may submit a written, signed request to the**
21 **board of education of a school district regarding the proposed moral instruction**
22 **offering. The request shall include:**

23 **(a) Contact information for the primary individual who will be providing the**
24 **moral instruction, as well as all other individuals who may be transporting**
25 **pupils or providing moral instruction to students through the offering;**

26 **(b) A statement acknowledging and agreeing to be bound by the requirements**
27 **placed upon moral instruction offerings under this section;**

- 1 (c) The address or a description of the location where the moral instruction will
2 be provided;
- 3 (d) A transportation plan to ensure the safety of pupils while traveling to and
4 from moral instruction within the allotted time period;
- 5 (e) A statement acknowledging, and agreeing to inform the parent or guardian
6 of a participating pupil, that the school district and its employees and agents
7 shall not incur any liability as a result of any injury sustained by the pupil
8 related to participation in the moral instruction offering;
- 9 (f) A statement acknowledging and agreeing to indemnify and hold harmless
10 the school district and its employees and agents against any claims relating
11 to the moral instruction offering or transportation to or from the offering;
12 and
- 13 (g) Proof of insurance coverage to be carried by the provider that shall include
14 adequate insurance for liability, property loss, and personal injury of
15 students related to the moral instruction offering or transportation to or
16 from the offering.
- 17 (4) (a) Upon receipt of a request under subsection (3) of this section, the board of
18 education may make arrangements with the person seeking to provide the
19 moral instruction offering as the board deems necessary.
- 20 (b) Upon approval by the board of education of a request under this section, the
21 superintendent of the school district shall require each individual identified
22 in the request to submit to a national and state criminal history background
23 check by the Department of Kentucky State Policy and the Federal Bureau
24 of Investigation and have a clean CA/N check, provided by the individual,
25 consistent with the provisions of KRS 160.380(6). The individuals, or the
26 organization or entity through which the moral instruction offering will be
27 provided, shall be responsible for all costs associated with obtaining the

1 criminal history and CA/N checks under this paragraph.

2 (c) As a condition of the agreement between the board and a provider, the
3 board shall require that any individual identified in the request under
4 subsection (3) of this section be barred from providing transportation or
5 participating in moral instruction offerings under this section upon receipt
6 by the school district of a report documenting a record of:

7 1. Child abuse or neglect;

8 2. A sex crime or criminal offense against a victim who is a minor as
9 defined in KRS 17.500; or

10 3. A violent crime as defined in KRS 17.165;

11 by the individual. The prohibition shall continue until the board receives an
12 updated record for that individual that does not contain a disqualifying
13 item.

14 (5) A pupil who attends a moral instruction offering at the time specified and for the
15 period fixed shall be:

16 (a) Credited with the time of attendance as if he or she had been in actual
17 attendance in school, and the time shall be included as part of the actual
18 school work required in KRS 158.060. A pupil shall not be penalized for any
19 school work missed during the specified time; and

20 (b) Included in calculating the average daily attendance for the Support
21 Education Excellence in Kentucky program as if the pupil was in actual
22 attendance in school.

23 (6) A pupil who does not participate in a moral instruction offering shall remain in
24 school during the time when the instruction is being given, and shall take
25 noncredit enrichment courses or participate in educational activities not required
26 in the regular curriculum, and that time shall be included as part of the actual
27 school work required in KRS 158.060. Students of different grade levels may be

1 placed into combined classrooms in accordance with maximum class size
2 allotments as described in KRS 157.360. These courses or activities shall be
3 supervised by certified school personnel and may include but are not limited to
4 study hall, computer instruction, music, art, library, physical education, and
5 tutorial assistance.

6 (7) A school district shall not discriminate against a pupil for his or her participation
7 or nonparticipation in a moral instruction offering.

8 ➔Section 2. The following KRS sections are repealed:

- 9 158.210 Survey of desire for moral instruction may be made.
- 10 158.220 Time allowed for moral instruction in suitable place.
- 11 158.230 Arrangements with persons in charge.
- 12 158.240 Credit for moral instruction.
- 13 158.250 Activities for nonparticipants in moral instruction classes.
- 14 158.260 Cost of moral instruction.